

CHAPTER NO. 109

HOUSE BILL NO. 2288

By Representative Stulce

Substituted for: Senate Bill No. 2434

By Senator Crutchfield

AN ACT to amend Chapter 689 of the Private Acts of 1937; as amended by Chapter 242 of the Private Acts of 1945 and Chapter 186 of the Private Acts of 1951; Chapters 110 and 111 of the Private Acts of 1953, Chapters 148 and 149 of the Private Acts of 1957, Chapter 147 of the Private Acts of 1963 and any other acts amendatory thereto, relative to the Department of Education's Insurance and Pension Fund of Hamilton County.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 689 of the Private Acts of 1937; as amended by Chapter 242 of the Private Acts of 1945 and Chapter 186 of the Private Acts of 1951; Chapters 110 and 111 of the Private Acts of 1953, Chapters 148 and 149 of the Private Acts of 1957, Chapter 147 of the Private Acts of 1963 and any other acts amendatory thereto, relative to the Insurance and Pension Fund of the Department of Education of Hamilton County, is amended as provided in this act.

SECTION 2. All duties and responsibilities of the Pension Commission for the administration and enforcement of the provisions of Chapter 689 of the Private Acts of 1937, and all acts amendatory thereto, are hereby transferred to and vested in the Trustee of Hamilton County. Such transfer shall be effective on the first day of the month following sixty (60) days from the effective date of this act.

SECTION 3. Effective on the date of transfer, the incumbent members of the Pension Commission shall have the duty and responsibility of an advisory commission to the Hamilton County Trustee on matters relative to the Department of Education's Insurance and Pension Fund.

As the terms of the incumbent elected members of the Pension Commission expire or become vacant for any reason, such position shall not be filled. The terms of the incumbent ex officio members, the County Judge and the County Superintendent of Public Instruction of Hamilton County, shall expire at the completion of their current terms of office or upon such office becoming vacant for any reason, whichever occurs sooner. Such pension commission shall cease to exist upon the expiration of the term of the last incumbent member or the vacancy in such position of such incumbent member, whichever occurs sooner. The ex officio members may, in their discretion, resign their membership on such pension commission after the transfer of duties and responsibilities to the Trustee pursuant to this act.

SECTION 4. For the purposes of an orderly transition and transfer of the duties, responsibilities, and records of the Pension Commission to the Trustee and for the protection and preservation of the rights and benefits of the retirees, the Comptroller of the Treasury of the State of Tennessee, or his designee, shall provide assistance to the Pension Commission and the Trustee during the period of transfer.

SECTION 5. Nothing in this act shall be construed as having the effect of removing any incumbent from office or abridging the term of any official prior to the end of the term for which such official was elected.

SECTION 6. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Legislative Body of Hamilton County. Its approval or non-approval shall be proclaimed by the presiding officer of the Legislative Body of Hamilton County and certified to the Secretary of State.


SECTION 7. For the purposes of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 6.

PASSED: February 4, 1998


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 18th day of February 1998


DON SUNDQUIST, GOVERNOR